

WARNER & SCHEUERMAN
Attorneys at Law
6 West 18th Street, 10th Floor
New York, New York 10011
Tel: (212) 924-7111
Fax: (212) 924-6111

Jonathon D. Warner, Esq.
jdwarner@wslaw.nyc

Karl E. Scheuerman, Esq.
kescheuerman@wslaw.nyc

March 1, 2024

VIA ECF

Pamela K. Chen, U.S.D.J.
United States District Court, Eastern District of New York
225 Cadman Plaza East, Courtroom 4F North
Brooklyn, New York 11201-1804

Re: *IME Watchdog, Inc. v. Gelardi, et al.*
Case No.: 1:22-cv-1032 (PKC)(JRC)

Dear Judge Chen:

We represent defendants Safa Gelardi (“Safa”), Vito Gelardi (“Vito”) and IME Companions LLC and write to inform the Court, in view of its Order dated February 29, 2024, that we have conferred with real estate counsel for Safa and Vito concerning the closing of the sale of their Staten Island home and the payment of the net proceeds into escrow, and have been advised that the closing has not yet been scheduled, despite this Court’s Order directing my office to account for the net sale proceeds as if it were a fact that the closing would be held today.

The March 1st date was simply an “on or about” date in the contract of sale, which contains a mortgage contingency clause, and the closing date was “subject to closing of buyer’s residence.” The closing was never actually scheduled for March 1st, and we have been advised that the purchaser’s lender has not given clearance to close.

Respectfully,

/s/ Jonathon D. Warner

JDW/ks

cc: All counsel (via ECF)